

**THE MINUTES OF THE CITY COUNCIL MEETING HELD  
MONDAY, FEBRUARY 8, 2016 AT 3:00 P.M.**

The Meeting was called to order at 3:00 p.m. Present: Council Chair Fellers; Council Members: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; City Clerk: Teresa Meier.

Council Chair Fellers announced that a copy of the Open Meetings Law is posted at the back of the Chamber by the northwest door. He asked all present to stand and recite the Pledge of Allegiance and observe a moment of silent meditation.

**READING OF THE MINUTES**

GAYLOR BAIRD Having been appointed to read the minutes of the City Council proceedings of February 1, 2016, reported having done so, found same correct.

Seconded by Lamm & carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

**MAYOR'S AWARD OF EXCELLENCE**

Mayor Chris Beutler came forward to present the Mayor's Award of Excellence for the month of December, 2015. The presentation was to a team of Police Officers, Timothy Carmichael, Donald Fosler, Krissa Knopik, Cynthia Knopik, Cynthia Koenig-Warnke, Timothy Mika, and David Wiggins from the Technical Investigation Unit (TIU) of the Operations Division with the Police Department in the category of Productivity by Sgt. Sandra Myers from the TIU. The case involved skimming devices and pinhole cameras on ATM Machines. In May of last year, two local banks discovered these devices on their ATM Machines and contacted the police department. The TIU worked with local banks and other agencies to solve this case and arrested 5 individual from Romania, that were in the country illegally, and impounded 2 vehicles. Other police agencies within the US contacted the Lincoln Police Department to determine if the 5 individual in custody were the same individuals that they had also been looking for.

Police Chief Peschong came forward and thanked Mayor Beutler and members of the City Council for recognizing these Officers for their hard work and dedication. These Officers are supervised by Sgt. Sandra Myers who also played a roll in solving this case. To solve this case, the officers worked with financial institutions developing partnerships to solve this case. They are doing a great job which is appreciated.

**PURPLE HEART CITY PROCLAMATION**

James Powers, Commander of Chapter 200 Military Order of the Purple Heart, came forward and stated that there has been a great response across the United States in Honoring Combat Wounded Veterans by Proclamation. The City of Lincoln is the first City in the State of Nebraska that was designated as a Purple Heart City by Chapter 200 of the Military Order of the Purple Heart, for its dedication in Honoring Veterans. The Purple Heart is the oldest medal with continuous use in the United States Military.

Mayor Chris Beutler came forward and said Thank You to Chapter 200 of the Military Order of the Purple Heart for this Honor on behalf of the City of Lincoln.

**PUBLIC HEARING**

APPOINTING MELISSA WILKERSON TO THE VETERANS MEMORIAL GARDEN ADVISORY COUNCIL FOR A TERM EXPIRING NOVEMBER 1, 2017 - Melissa Wilkerson, no address given, came forward and stated her father was the Assistant Director of Parks & Rec. in Lawrence KS, this is why she has a love of parks. Ms. Wilkerson is asking for approval to this board. Discussion followed.

This matter was taken under advisement.

APPOINTING DOUG KREIFELS TO THE BOARD OF MECHANICAL EXAMINERS FOR A TERM EXPIRING APRIL 4, 2017 - Doug Kreifels, 4101 South 8th Street, Vice President of Action Plumbing & Heating, came forward and stated that he has worked in heating and air conditioning for 36 years and is asking for approval to this board. Discussion followed.

This matter was taken under advisement.

APPLICATION OF HOPCAT-LINCOLN, LLC DBA HOPCAT FOR A CLASS C LIQUOR LICENSE AT 601 P STREET;

MANAGER APPLICATION OF GARRETT LOMELI FOR HOPCAT-LINCOLN, LLC DBA HOPCAT AT 601 P STREET - Garrett Lomeli, 1317 O Street, and Mike Kelly, 625 South 14th Street, came forward to take the oath and ask approval. Mr. Kelly stated that this restaurant is known nationally and they are planning on opening March 19. Discussion followed.

This matter was taken under advisement.

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**MANAGER APPLICATION OF MIRANDA R. LIES FOR KINSETH HOTEL CORPORATION DBA**

HAMPTON INN AT 7343 HUSKER CIRCLE - Miranda R. Lies, 7343 Husker Circle, came forward to take the oath and ask approval. Discussion followed.

This matter was taken under advisement.

**MANAGER APPLICATION OF MICHELLE COBB FOR KINSETH HOTEL CORPORATION DBA**

RESIDENCE INN AT 5865 BOBOLI LANE - Michelle Cobb, 5865 Boboli Ln., came forward to take the oath and request approval. Discussion followed.

This matter was taken under advisement.

**MANAGER APPLICATION OF KENNETH C. IVERSON FOR RICHMOND ROLLINS, LLC DBA BARRY'S**

BAR AT 235 NORTH 9TH STREET - Kenneth C. Iverson, 235 South 11th Street, came forward to take the oath and request approval. Discussion followed.

This matter was taken under advisement.

**MANAGER APPLICATION OF FREDRIC F. FROST FOR SAM'S WEST, INC. DBA SAM'S CLUB #4873 AT**

8480 ANDERMATT DRIVE - Fredric F. Frost, no address given, came forward to take the oath and request approval. Discussion followed.

This matter was taken under advisement.

**APPEAL BY CARL ESKRIDGE OF THE STARTRAN ADVISORY BOARD ACTION APPROVING THE TRANSIT DEVELOPMENT PLAN (TDP) AND THE NEAR-TERM ROUTE CHANGES THAT ARE PART OF THE TDP. (12/14/15 - PUBLIC HEARING & ACTION CONTINUED TO 2/8/16) (ACTION DELAYED FOR 4 WEEKS TO 03/07/16, 7-0)** - Mike Davis, StarTran Transit Manager, came forward and stated they have been working on a Transit Development Plan that will take Lincoln through the next five to seven years. This plan was developed to look at several different areas within the City, how the City is growing, and what the needs are in different areas by residents. There has been three Public Hearings on the transit plan, meetings with transit drivers, and Stakeholder group meetings to come up with a Proposed Transit Development Plan.

Cyndi Lamm, Council Member, discussed needing a clear policy of the transit plan to be able to measure accomplishments that have been made.

Thomas Wittmann, Consultant with Nelson/Nygaard, 1402 Third Avenue, Seattle, Washington, came forward and stated there is a section on service standards to measure how well the system is working, and provide regular updates. Discussion followed.

Mr. Davis stated that they have developed a Mission Statement, Visions, and Goals for this project used to continue to drive this plan. Discussion followed.

Leirion Gaylor Baird, Council Member, asked how this plan reflects the communities input and how the difficult decisions with the phasing were made.

Mr. Wittmann stated that the work plan for the Transit Development Plan was developed so we could listen to what the public had to say about the strengths and weaknesses of service, and what they would like to see changed as a part of the service before we came up with any recommendations. The clear answer that the public had given was wanting to see later evening service. Using the feedback we received from public input we came up with the preferred plan. Discussion followed.

Jane Raybould, Council Member, asked why we are starting with phase 1 increasing the frequency of bus service, instead of phase 2 that has the later bus service and has the majority of the support.

Mr. Wittmann stated that both 1 & 2 are important but if you are looking for success in an investment you will get more ridership as a result of improving the midday service than you would by adding the evening service. Discussion followed.

Trent Fellers, Council Chair, inquired how do we factor in new developments at a later time with how the bus schedule will be set up today.

Mr. Wittmann stated that you want to create the frame work so you can expand in the future. The existing system does not have what is needed to add to the system now or in the future. Discussion followed.

Sitaram Jaswal, 3325 Grimsby Lane, came forward and stated that he has been using the bus for 40 years, and feels that the decision should be delayed for further discussion. Mr. Jaswal also feels that more money is needed for this project so that they are not taking bus routes from one area to add to another area.

Sue Gilleland, no address given, came forward and said she is a State employee and her work hours are 6:45 a.m. or 7:15 a.m. and if the bus routes are changed she will not be able to get to work. Ms. Gilleland stated that the trip home after work would take her until 6:45 p.m. and that was too late.

Richard Schmeling, 4612 Van Dorn St., came forward and asked if the consultant knew that there was more money available for this project would they recommend doing phase 1-5 now instead of waiting on part of the phases. Mr. Schmeling stated that we have gone since 2008 with no changes to the bus system and our City has grown tremendously. We cant afford not to invest more money into our transit system and we need to do this now.

Miriam Malone, 6018 Old Farm Circle, came forward and stated she has taken the bus forever, and with the new changes she will not have to walk as far on weekends. Ms. Malone is still concerned about the weekend service, and wants later bus service on Saturday and Sunday service. Ms. Malone wants later

service on all bus routes not just some of them. Startran needs more money the consultants have done the best they could with what money you gave them, but Startran it is not a luxury it is a necessity.

Diane R. Bartels, 1801 Mindoro Dr., came forward and stated that she is an advocate for Lincoln Public School Students who could benefit from an expansion with Startran service. Some students are unable to attend school activities with our current system and no late bus service. Ms. Bartels also feels that transit dependent parents have problems attending parent teacher conference as well as their students activities. Ms. Bartels feels that all students should have the opportunity to participate in, and to contribute in school activities this helps them feel that they are a part of the learning community. The feeling of belonging and learning does extend beyond the walls of a classroom. Ms. Bartels asked that Council Members carefully consider the concern that were discussed and expand Startran service in the evening.

John Tivis, 4405 North 1st, came forward and stated that currently the bus stops across the street from the apartments he has resided in for the past 15 years. With the new bus route that has been proposed Mr. Tivis will need to walk ½ mile to get to the new bus stop along with several other people. The bus system is how Mr. Tivis gets to all of his medical appointments along with needing to take the bus for all of his shopping. With the new change Mr. Tivis will need to carry all of his purchases from shopping that extra ½ mile, and feels that this is something that he is unable to do.

Rosina Paolini, 1850 Dakota Street, came forward and stated that she used to take the bus when she was younger, at a time when you could take the bus late at night and 7 days a week. Ms. Paolini is currently a Physical Therapist, part of her job is home safety assessments. During an assessment Ms. Paolini will ask how the patient will get around the house, how do they get to Doctor appointments, how do they overcome some of their daily challenges. Some of her patient have stated to her they are unable to walk longer distances to get to the bus.

Ms. Lamm asked if Ms. Paolinis patients were saying that they could not make it to the bus stops with the new proposed routes or the current routes.

Ms. Paolini said yes, problems with the new routes. Discussion followed.

Lucas Peterson, 4520 R Street, came forward and stated that he does not have a car so he routinely takes the bus. Mr. Peterson said that it has been a challenge for him, and at times he will ride his bike or just walk. Mr Peterson does know that for some residents that is not an option the bus is the only option for some. Mr. Peterson feels that most of the proposed changes will be good changes, but is not sure how others will feel about some of the older neighborhoods having service discontinued.

Ben Kiser, Director of Corporate Communications Nelnet, Inc., came forward and stated that he has concerns about the elimination of 2 routes in what is to be a newly renovated area called The Telegraph District. The Vision of the Telegraph District is one of a Vibrant Urban Community, in which we will have 600 square feet of live, work, and retail space. The bus system is a very important part of this vision. Mr. Kiser said that his company gives out well over 200 bus passes to its employees to assist them with the commute to and from work. Mr. Kiser said that he would like for Council to reconsider eliminating the two bus stops in the Telegraph District.

Roy Christensen, Council Member, asked Mr. Kiser what would be acceptable distance to walk.

Mr. Kiser said that the distance would depend on the person. Mr. Kiser also stated that he does feel that the bus system is a vital and important part what they are working towards in the new Telegraph District. Discussion followed.

Nicole Green, 1621 D Street, Citizens for Improved Transit in Lincoln, came forward and stated that she depends on the transit system to get around, and on the weekends unless she walks her options are very limited with the current bus system. And feels that funds need to be increased to meet the needs of a growing community. Ms. Green has stated that Citizens for Improved Transit recommendations are: 1. That all phases 1-5 should be implemented immediately; 2. All routes be moved from neighborhood streets to main arterial roads; 3. Provisions need to be made to support individuals with disabilities who depend on the current bus system and are unable to access these new bus routes; 4. Startran move to a fixed bus stop system; 5. In the event that starting all 5 phases at once is not possible then they would like both phase 1 & 2 implemented immediately.

Ed George, 1130 H Street, came forward and stated that he is a current transit system user, and feels that it is important to have cameras on each bus, and safety for the riders. Mr. George mentioned that the students from North Star High School need to walk to Walmart to catch the shuttle and feels this distance is too far for such a young group of riders.

Marilyn Kruger, 2324 A Street, stated that she is a StarTran employee but has come before Council to speak for her passengers that were unable to attend. Ms. Kruger said that the bus system needs more funds not for employee pay but to do what is needed to improve the transit system. Ms. Kruger said Startran needs to be brought into the 21st Century. The survey did ask what the public wanted in a transit system but did not ask what they were willing to give up.

Amy Dickerson, Lancaster Event Center, 4100 North 84<sup>th</sup>, came forward and stated that the Event Center is a public facility and they need to be accessible to the community. Without bus routes in East Lincoln out to the Event Center or at least to Walmart to start, we are not providing the accessibility that she feels Lincoln wants to provide to its public facilities. East Lincoln is really growing and has continued to grow since 2008 that was the last time that they made changes to the transit system. The Event Center has around 270 shows a year and most of them are free or at very low cost. With the sales tax money that is generated from the Event Center Ms. Dickerson would hope that some of that money would be use for the transit system.

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Mike Morosin, 1500 N. 15<sup>th</sup> Street, came forward and stated that he has ridden the bus since the 60's. He also feels that some people make their housing choices on where the bus routes are. He feels that we can do a better job with the transit system than what has been done so far.

Pat Shures, 1235 South 13<sup>th</sup> Street, came forward and stated that she is a homeowner and pays her taxes and that disabled people pay the same in taxes as everyone else. Ms. Shures also said that some of the City Leaders should leave their cars at home and try to get around Lincoln to go shopping and use the transit system.

Lori Simms, 2525 S Street, stated that some changes still need to be made and she does not feel that it the system is very efficient. Ms. Simms said that in some areas they are taking away routes and leaving them with less and other areas have several bus routes covering the same area for the students at the University. We have other colleges and areas that are not being considered in this new plan. Discussion followed.

Teri Pope-Gonzalez, 349 S. 1<sup>st</sup> Street, came forward and stated that she does not like our transit system and does not know why we do not have the money for a better system.

Jane Kinsey, 6703 Hawkins Bend, Watch Dogs of Lincoln, came forward and stated that she used to ride the bus in 1969 and feels that it needs a lot of work. Football games have shuttles and that seems to work well, she is wondering why we cant use shuttles like they do on game days to maybe help with out transit service.

Mr. Davis stated they see the needs that are in the community for a better transit service, and have been working to make improvements that are needed. Setting up a network where there is more transfer ability, and having the ability to get where you need to go without long waits. Discussion followed.

Mr. Whittmann stated that they are trying to stay away from neighborhood streets and have stops on collector streets that are safer and faster. Several comments about the need for better service and longer service. Some of the changes were to serve the greater number of folks in some areas. In one area approximately 80 riders would be affected in a positive way and 10 in a negative way, these were some of the hard choices that had to be made. Discussion followed.

Mr. Davis stated that they did have a meeting with Lincoln Public Schools District Office and they went over the routes that served each school, we felt that this was very important. A couple of the schools attended the open houses as well, so we feel like we had feedback and cooperation from the School Districts and will continue to make the system work well for the students. Discussion followed.

This matter was taken under advisement.

**DIRECTING SUBMITTAL TO THE ELECTORS OF THE CITY A PROPOSED CHARTER AMENDMENT AMENDING ARTICLE VII, SECTION 2 OF THE CHARTER RELATING TO CONTRACTS FOR PROFESSIONAL SERVICES TO PROVIDE THAT THE CITY COUNCIL MAY, BY ORDINANCE, ESTABLISH PROCEDURES AND CRITERIA TO BE FOLLOWED BY THE MAYOR, DEPARTMENT HEADS, AND THE PURCHASING DIVISION IN SELECTING FIRMS OR OTHER ENTITIES TO PROVIDE PROFESSIONAL SERVICES AND IN MAKING AND APPROVING AWARDS AND CONTRACTS THEREFOR** - Jon Camp, Council Member, stated that this resolution is to let the citizens decide on the May 10, ballot if they want to amend our City Charter. This will give the City Council the discretionary authority to define the procedures used to determine the process under which professional service contracts are awarded by the Mayor, the authority of approval will remain with the Mayor. Mr. Camp stated doing this will give a better balance with the Mayor, Administration, and City Council.

Donald Stading, 1821 Sussex Place, came forward and stated that in the past he has served on the Lincoln Charter Revision Commission. After reviewing the provisions Mr. Stading recommended that the Council not approve the amendment today, but refer the amendment to the Charter Revision Commission for research, review, and recommendations . They will send findings back to the Mayors Office and the Council prior to proceeding with any further steps. Discussion followed.

Jane Raybould, Council Member, inquired how long Mr. Stading has been on the Commission and how have ideas of reviews been presented to Commission in the past.

Mr. Stading stated they would come from the Mayors Office and this is on call basis. If a issue arises they would call and schedule a meeting, it has been 5 or 6 years since the last meeting, He stated that he feels Charter is working quite well. Discussion followed.

Brayden McLaughlin, 2041 South 18th Street, came forward and stated he is a City Planner by trade and training, and the owner of Bridge Water Consulting which is a small design firm in town. Mr. McLaughlin stated that he is in support of Councilmen Camps Charter amendment proposal and feels that City Council should be involved. Discussion followed.

Jane Kinsey, 6703 Hawkins Bend, Watch Dogs of Lincoln, came forward and stated that they are in support of this proposal to amend the Charter. They feel that there needs to be transparency, efficiency, and accountability with the Mayor.

Coby Mach, Lincoln Independent Business Association, 620 North 48<sup>th</sup> Street, came forward in support of the resolution amending the Charter. Lincoln Independent Business Association believes that the Charter amendment would provide an important level of transparency as well as oversight with city contracts.

Mike Morosin, 1500 North 15<sup>th</sup> Street, came forward and stated that he is in support of this resolution. That Council needs to be part of the process since Council was elected by the people to represent the people.

This matter was taken under advisement.

ESTABLISHING AN ENHANCED EMPLOYMENT AREA NECESSARY TO IMPOSE AN OCCUPATION TAX AS PART OF A DEVELOPMENT PROJECT AT SOUTHPOINTE PAVILIONS. (RELATED ITEMS: 16R-24, 16-4, 16R-25, 16-5, 16R-23);

AUTHORIZING A ONE PERCENT (1%) OCCUPATION TAX, EFFECTIVE JANUARY 1, 2017, ON GROSS RECEIPTS FOR RETAIL ESTABLISHMENTS AT SOUTHPOINTE PAVILIONS WITHIN THE DESIGNATED ENHANCED EMPLOYMENT AREA TO BE USED TO PAY FOR CONSTRUCTION AND MAINTENANCE OF A PUBLIC PARKING GARAGE TO BE LOCATED AT SOUTHPOINTE PAVILIONS. (RELATED ITEMS: 16R-24, 16-4, 16R-25, 16-5, 16R-23);

APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF LINCOLN, R.E.D. DEVELOPMENT, AND POWDER MOUNTAIN, LLC RELATED TO CONSTRUCTION OF A NEW SCHEELS STORE AND OTHER RETAIL SPACE AT SOUTHPOINTE PAVILIONS IN ADDITION TO PUBLIC PARKING GARAGE WITHIN SOUTHPOINTE PAVILIONS. (RELATED ITEMS: 16R-24, 16-4, 16R-25, 16-5, 16R-23);

AUTHORIZING THE ISSUANCE OF CITY OF LINCOLN SOUTHPOINTE PAVILIONS PROJECT TAX ALLOCATION BONDS IN AN AMOUNT NOT TO EXCEED \$19,950,000. (RELATED ITEMS: 16R-24, 16-4, 16R-25, 16-5, 16R-23);

COMBINED SPECIAL PERMIT/USE PERMIT 11H - APPLICATION OF RED CAPITAL MANAGEMENT, LLC AND POWDER MOUNTAIN, LLC TO REFLECT THE REDEVELOPMENT OF SEVERAL AREAS OF THE SOUTHPOINTE PAVILIONS SHOPPING CENTER, INCLUDING AN INCREASE IN FLOOR AREA, A REDUCTION IN THE PARKING REQUIREMENT, AND AN INCREASE IN BUILDING HEIGHT LOCATED AT THE NORTHEAST CORNER OF SOUTH 27TH STREET AND PINE LAKE ROAD - David Landis, Urban Development Director, came forward and stated that this is a development agreement with five issues tied together, for the use of LB-562. This bill allows for the creation of a district in which an occupation tax applies inside the district for the purpose of paying for public benefit inside that district. Scheels is planning on investing \$84 Million dollars and will be adding an additional 50 jobs. The tax money will be used for a 1000 stall garage that will be owned by the City. The garage will cost \$20 Million dollars to build this is what the bond is for. The bond will be repaid by a 1% occupation tax on all retail sales other than food and beverage. The bond will need to be paid back in 20 years, but should only take 17 years.

Roy Christensen, Council Member, voiced concerns about screening on the north side of this development from discussions he has had with the residents.

Mr. Landis said that they have talked with area residents, where they had limited reaction to this development at that time. Discussion followed.

Cyndi Lamm, Council Member, asked what happens to the garage after the 20 years.

Mr. Landis that the garage will belong to the City for the life of the garage about 40 years. The developer will still be responsible for the upkeep of the garage. Discussion followed.

Leirion Gaylor Baird, Council Member, inquired about the cost of the garage being \$19.95 Million dollars, and what the Cities portion would be of that amount.

Mr. Landis stated that the bond will cover the cost of the garage. Discussion followed.

Mike Rogers, Gilmore Bell, P. C., 450 Regency Parkway, Suite 320, came forward and stated that if the revenue falls short the bond would not be repaid, the money for this bond comes solely from the 1% occupation tax.

Jane Raybould, Council Member, inquired about additional funds for road improvements or infrastructure improvements that are typically associated with a TIF.

Mr. Landis stated that he thinks that the answer is no, and one of the reasons is the money needs to be spent inside the enhancement area, that area does not include areas public streets outside this enhancement area. Discussion followed.

Ms. Gaylor Baird inquired what were the reasons for needing the occupation tax for this project.

Mike Land, Mayors Office, came forward and stated that it was important to secure the project, looking at the positive economic impact this could have on the community. We also determined how much of the sale volume from Scheels was from out of county customers and that number was about 38%.

Ms. Raybould asked how the occupation tax will be handled, if it would be a lined item on the receipt.

Mr. Land said yes that he thought that the tax would end up as a lined item on receipt. And if the occupation tax is something that customers did not want to pay they could shop elsewhere. Discussion followed.

Jeff McMahon, Managing Partner at RED Development, 7500 College Blvd., Overland Park, KS, came forward and stated that the importance of this development with Scheels cant be understated. They have had discussions with the current tenants at SouthPointe and they are in favor of this development, some businesses are relocating to another area in SouthPointe make room for Scheels. And have had talks with the each tenants separately to answer questions or concern that they might have. There have been discussions with neighbors in the surrounding area where some issues were discussed. As a result of these discussions there is a plan to add irrigation to the buffer area, the speed of vehicles is a concern in the area

so they will look at putting something in to slow driver speed, and concerns of the roundabout being unable to handle the new traffic load, additional time for left turns on the light will help in clearing out the roundabout. Meeting with neighbors have been very helpful and some of the issues that have been mentioned were easy fixes and they plan on continuing to work with neighbors.

Ms. Raybould stated that she has been informed that with the current businesses at SouthPointe there is already traffic issues, and this is without the new expansion.

Mr. McMahon stated that they have plans to add a truck entrance to help relieve some of the traffic congestion. Discussion followed.

Louie Sikich, Store Leader Scheels, 9420 Hollow Tree Drive, came forward and stated Scheels opened in 2000 and the store is a transaction store and not a family store. We are wanting to make this a family store where customers will want to stay and spend some time.

Kent Seacrest, Seacrest Y Kalkowski, 1111 Lincoln Mall, came forward and stated that Scheels is an employee owned company and they are looking forward on expanding their business in Lincoln. Traffic is something that will be looked at, in the past when this development first started in the 1990's there was a traffic study that showed how many trips were required, we over asked in the 1990's but did build the road network for the over asking amount, so they are still under the cap for the traffic amount since they overbuilt the road years ago. The internal roads will continue to be the responsibility of the SouthPointe.

Korey Schulz, Ochsner Hare & Hare, 1801 McGee Street, Suite 101, Kansas City, Missouri, came forward and stated that they are proposing that the service road will be removed and they will be adding shrubs to help with the landscaping in this area which is south of the trail. To the north of the trail a new berm will be added to raise the grade with new plants and large trees for an instant screen.

Ms. Raybould inquired when the screening would be done.

Mr. McMahon said that the screening could be done this spring.

John Hansen, IRR Corporate & Public Finance, 1901 West 47th Place, Westwood, Kansas, came forward and stated that their job is to work with Developers and with Cities on economic projects, advising them through public private partnerships that are win win for both parties. Mr. Hansen stated that he feels that Scheels is one of the top companies to work with.

Mr. Christensen asked if the occupation tax is really necessary to build the garage to do this project.

Mr. Hansen stated yes that the occupation tax does need to be in place for Scheels to go forward with this project.

Mike Alesio, Valentino's, 3020 Pine Lake Road, came forward and stated that are in approval of this development project. The are very excited about being in this area.

Mike Morosin, 1500 North 15<sup>th</sup> Street, came forward and stated that he is in favor of this development. His post does team up with Scheels for some flag ceremonies.

Lori Simms, 2525 S Street, came forward and inquired when the occupation tax would end, and that when she shops at SouthPointe she will be charged 1% tax and she does not even own a car.

Jane Kinsey, 6703 Hawkins Bend, Watch Dogs of Lincoln, came forward and stated that she does not feel that we need another tax.

Richard Halverson, 6311 Inverness Road, is not in favor of this development, does not want another tax.

Phil White, 2815 Laredo Drive, came forward and stated that they need to have more neighborhood meetings that he has question about this project. Discussion followed.

Mr. Seacrest stated that without reinvesting things do not seem to grow. This is great for Lincoln, if shoppers do not want to pay the tax they do not need to shop there it is not a city wide tax. This development will also add jobs and expand our trade area in the community. We would be happy to continue meetings with the neighbors. Discussion followed.

Mr. Christensen asked about the occupation tax and what were the options that the tenants have regarding this tax.

Mr. Seacrest stated that the tenants have three options on how they are going handle this occupation tax, and none of the tenants have voiced concerns with this added tax. The options are: the tenant could pay the tax; the tenant could add the tax to the customer receipt as a separate line item; the tenant could add the tax to the item by increasing the price of the product by 1% to pay this tax.

Ms. Gaylor Baird asked how many tenants would be subject to the occupation tax.

Julie Ladamer, Marketing Director of SouthPointe, came forward and stated that they have 54 tenants at this time some of them are food businesses and scheduled individual hour long meeting with each business to discuss the project. SouthPointe wanted to make sure that all of the tenants were fully informed of what the project was, and to answer any questions that they might have. During the meeting not one of the tenants had problems with this proposals, information has been passed on to their corporate office and still have not heard from any of the corporate offices. This occupation tax would not go into effect until January, 2017.

Carl Eskridge, Council Member, inquired if electric charging stations are being proposed for this new garage.

Mr. Seacrest stated that they have not started the design process yet, but felt this is something that could be discussed. Discussion followed.

Mark Palmer, Olsson Associates, 601 P Street, came forward and stated they are working with Public Works Department on the traffic signal on 32nd Street with the timing of the light and how that affects the roundabout operation and the movement in and out of the area. Discussions with Public Works on changing the timing of the lights for the weekend traffic for Pine Lake Road.

Mr. Camp inquired about the traffic in the neighborhood area and the speed of the traffic.

Mr. Palmer said that they have had discussions about narrowing of the road to slow traffic in the neighborhood area on Browning Street.

Ms. Raybould inquired when the last traffic study done for this road.

Mr. Palmer stated that the last traffic study was done in 1998, that it has not been a requirement for this project to do another traffic study. Discussion followed.

Ms. Raybould stated the common concerns she has heard about with this project is the traffic issues, and asked why a new traffic study was not being done since the area has changed over the past years.

Mr. Palmer stated that they are working with Public Works on traffic congestion in this area and on Pine Lake Road. Discussion followed.

Thomas Shafer, Interim Public Works Director, came forward and stated that he was going to rely upon the experience of the staff working with the developers on this project, but if you are requesting that this be done we will get a traffic study done. Discussion followed.

Ms. Raybould asked if the developer was willing to have a traffic study done.

Mr. Seacrest stated that an informal traffic study was done by Olsson & Associates and Randy Hoskins Public Works Engineer did not see a problem with the informal traffic study and sent out an email in regards to the findings. They feel that this is an intersection issue and the changes set in place take care of the traffic concerns. Discussion followed.

Mr. Shafer stated that he will give Council Randy Hoskins email concerning traffic study in the area. Discussion followed.

This matter was taken under advisement.

## COUNCIL ACTION

### REPORTS OF CITY OFFICERS

REAPPOINTING EMILY CASPER AND MICHELE TILLEY TO THE URBAN DESIGN COMMITTEE FOR TERMS EXPIRING FEBRUARY 1, 2019 - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-89486 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointments of Emily Casper and Michele Tilley to the Urban Design Committee, for terms expiring February 1, 2019, are hereby approved.

Introduced by Carl Eskridge

Seconded by Camp & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

REAPPOINTING JERRY L. HUDGINS AND VICKI HUFF TO THE LINCOLN ELECTRIC SYSTEM ADMINISTRATIVE BOARD FOR TERMS EXPIRING DECEMBER 31, 2018 - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-89484 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointments of Jerry L. Hudgins and Vicki Huff to the Lincoln Electric System Administrative Board, for terms expiring December 31, 2018, are hereby approved.

Introduced by Carl Eskridge

Seconded by Camp & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPOINTING DOUG KREIFELS TO THE BOARD OF MECHANICAL EXAMINERS FOR A TERM EXPIRING APRIL 4, 2017 - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-89485 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Doug Kreifels to the Board of Mechanical Examiners, for a term expiring April 4, 2017, is hereby approved.

Introduced by Carl Eskridge

Seconded by Camp & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPOINTING MELISSA WILKERSON TO THE VETERANS MEMORIAL GARDEN ADVISORY COUNCIL FOR A TERM EXPIRING NOVEMBER 1, 2017 - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-89486 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Melissa Wilkerson to the Veterans Memorial Garden Advisory Council, for a term expiring November 1, 2017, is hereby approved.

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Introduced by Carl Eskridge

Seconded by Camp & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPROVING A MULTI-YEAR CONTRACT BETWEEN UNION COLLEGE AND THE CITY OF LINCOLN ON BEHALF OF THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT TO ALLOW NURSING STUDENTS TO UTILIZE SERVICE PROGRAMS AT THE LINCOLN-LANCASTER HEALTH DEPARTMENT TO FULFILL REQUIREMENTS OF THEIR COMMUNITY HEALTH NURSING COURSE FOR THEIR BACHELOR'S DEGREES IN NURSING - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-89487 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Agreement between the City of Lincoln, on behalf of the Lincoln-Lancaster County Health Department (LLCHD), and Union College to utilize service programs at the Lincoln-Lancaster County Health Department to fulfill requirements of their community health nursing course for their bachelor's degree in nursing, upon the terms and conditions set forth in said Agreement, which is attached hereto marked as Attachment "A", is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

The City Clerk is directed to forward one fully executed original of said Agreement to Judy Halstead, Lincoln-Lancaster County Health Department Director, for transmittal to Union College.

Introduced by Carl Eskridge

Seconded by Camp & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTION AND ORDINANCES PASSED BY CITY COUNCIL ON JANUARY 11, 2016 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

REPORT FROM CITY TREASURER OF CITY CASH ON HAND AT THE CLOSE OF BUSINESS NOVEMBER 30, 2015 - CLERK presented said report which was placed on file in the Office of the City Clerk. (5-21)

**PETITIONS & COMMUNICATIONS**

SETTING THE HEARING DATE OF MONDAY, FEBRUARY 22, 2016 AT 3 P.M. ON THE APPLICATION OF FUCOR INC DBA VENUE RESTAURANT & LOUNGE FOR A CLASS C LIQUOR LICENSE AT 129 NORTH 10<sup>TH</sup> STREET, SUITE 115 - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-89488 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, February 22, 2016, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application of Fucor Inc. dba Venue Restaurant & Lounge for Class C Liquor License at 129 North 10<sup>th</sup> Street.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Leirion Gaylor Baird

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, FEBRUARY 22, 2016 AT 3 P.M. ON THE MANAGER APPLICATION OF JASON L. JOHNSON FOR JJ'S LOUNGE LLC DBA THE LOUNGE AT 2001 WEST O STREET - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-89489 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, February 22, 2016, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for the Manager App. of Jason L. Johnson for JJ's Lounge LLC dba The Lounge located at 2001 West O Street.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Leirion Gaylor Baird

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, FEBRUARY 29, 2016 AT 5:30 P.M. ON THE APPLICATION OF APPIAN WAY LODGING LLC DBA FAIRFIELD INN AND SUITES FOR A CLASS I LIQUOR LICENSE AT 8455 ANDERMATT DRIVE - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-89490 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, February 29, 2016, at 5:30 p.m. or as soon thereafter as possible in the City Council



Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application of Appian Way Lodging LLC dba Fairfield Inn and Suites for Class I Liquor License at 8455 Andermatt Drive.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Leirion Gaylor Baird

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

**THE FOLLOWING WERE REFERRED TO PLANNING:**

CHANGE OF ZONE NO. 15036, REQUESTED BY REGA ENGINEERING, REQUESTING A CHANGE OF ZONE FROM AGR AGRICULTURAL RESIDENTIAL DISTRICT AND AG AGRICULTURE DISTRICT TO R-4 RESIDENTIAL DISTRICT, ON PROPERTY GENERALLY LOCATED AT SW 30TH STREET AND WEST A STREET.

SPECIAL PERMIT NO. 15072, REQUESTED BY REGA ENGINEERING, FOR A COMMUNITY UNIT PLAN CONSISTING OF 3 LOTS WITH UP TO 582 MULTI-FAMILY UNITS, WITH WAIVERS TO INCREASE THE BUILDING HEIGHT FROM 35 FEET TO 40 FEET AND REDUCE THE FRONT YARD SETBACKS ADJACENT TO PRIVATE ROADWAYS FROM 25 FEET TO 15 FEET, ON PROPERTY GENERALLY LOCATED AT SW 30TH STREET AND WEST A STREET.

TEXT AMENDMENT NO. 16001, REQUESTED BY LINCOLN AIRPORT AUTHORITY, AMENDING CHAPTER 27.59 OF THE LINCOLN MUNICIPAL CODE RELATING TO AIRPORT ZONING REGULATIONS TO EXTEND THE APPROACH ZONE FROM 3 MILES TO A NEW LIMIT OF 10 MILES, ESTABLISH THE AREA INCLUDED WITHIN THE AIRPORT HAZARD AREA, REVISE EXISTING DEFINITIONS AND ADD NEW DEFINITIONS, AND OTHER CHANGES TO BE IN ACCORDANCE WITH THE PASSAGE OF NEBRASKA LEGISLATIVE BILL (LB) 140, AND REPEALING SECTIONS 27.59.010 THROUGH 27.59.040, 27.59.060 THROUGH 27.59.090, 27.59.110, 27.59.120, 27.59.140 AND 27.59.150 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING.

TEXT AMENDMENT NO. 16002, REQUESTED BY LINCOLN AIRPORT AUTHORITY, AMENDING ARTICLE 18 OF THE LANCASTER COUNTY ZONING REGULATIONS RELATING TO SPECIAL HEIGHT AND USE NEAR AIRPORTS TO EXTEND THE APPROACH ZONE FROM 3 MILES TO A NEW LIMIT OF 10 MILES, ESTABLISH THE AREA INCLUDED WITHIN THE AIRPORT HAZARD AREA, REVISE EXISTING DEFINITIONS AND ADD NEW DEFINITIONS, AND OTHER CHANGES TO BE IN ACCORDANCE WITH THE PASSAGE OF NEBRASKA LEGISLATIVE BILL (LB) 140, AND REPEALING AND ADDING VARIOUS SECTIONS WITHIN ARTICLE 18 OF THE LANCASTER COUNTY ZONING REGULATIONS AS HITHERTO EXISTING.

**PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:**

ADMINISTRATIVE AMENDMENT NO. 16002 TO SPECIAL PERMIT NO. 872H, FIRETHORN COMMUNITY UNIT PLAN, APPROVED BY THE PLANNING DIRECTOR ON JANUARY 27, 2016, REQUESTED BY OLSSON ASSOCIATES, TO ADJUST THE REAR SETBACK FOR LOTS 54-65 FROM 20' TO 10' AND TO ADD A NOTE REGARDING THE SETBACK TO ACCESSORY BUILDINGS ON OUTLOTS, GENERALLY LOCATED AT SOUTH 84<sup>TH</sup> STREET AND VAN DORN STREET.

**LIQUOR RESOLUTIONS**

APPLICATION OF HOPCAT-LINCOLN, LLC DBA HOPCAT FOR A CLASS C LIQUOR LICENSE AT 601 P STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89491 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of HopCat-Lincoln, LLC dba HopCat for a Class "C" liquor license at 601 P Street, Lincoln, Nebraska, for the license period ending October 31, 2016, be approved with the condition that:

1. Applicant must successfully complete the responsible beverage manager training course required by Section 5.04.035 of the Lincoln Municipal Code prior to receiving the liquor license from the City Clerk.
2. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.
3. The premises must comply in every respect with all city and state regulations.
4. There be no business or personal alcohol related offenses by the applicant within the first year after approval.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

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MANAGER APPLICATION OF GARRETT LOMELI FOR HOPCAT-LINCOLN, LLC DBA HOPCAT AT 601 P STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89492 WHEREAS, HopCat-Lincoln, LLC dba HopCat located at 601 P Street, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Garrett Lomeli be named manager;

WHEREAS, Garrett Lomeli appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Garrett Lomeli be approved as manager of this business for said licensee.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

MANAGER APPLICATION OF MIRANDA R. LIES FOR KINSETH HOTEL CORPORATION DBA HAMPTON INN AT 7343 HUSKER CIRCLE - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89493 WHEREAS, Kinseth Hotel Corporation dba Hampton Inn located at 7343 Husker Circle, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Miranda R. Lies be named manager;

WHEREAS, Miranda R. Lies appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Miranda R. Lies be approved as manager of this business for said licensee.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

MANAGER APPLICATION OF MICHELLE COBB FOR KINSETH HOTEL CORPORATION DBA RESIDENCE INN AT 5865 BOBOLI LANE - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89494 WHEREAS, Kinseth Hotel Corporation dba Residence Inn located at 5865 Boboli Lane, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Michelle Cobb be named manager;

WHEREAS, Michelle Cobb appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Michelle Cobb be approved as manager of this business for said licensee.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

MANAGER APPLICATION OF KENNETH C. IVERSON FOR RICHMOND ROLLINS, LLC DBA BARRY'S BAR AT 235 NORTH 9TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89495 WHEREAS, Richmond Rollins, LLC dba Barry's Bar located at 235 North 9<sup>th</sup> Street, Lincoln, Nebraska has been approved for a Retail Class "CK" liquor license, and now requests that Kenneth C. Iverson be named manager;

WHEREAS, Kenneth C. Iverson appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Kenneth C. Iverson be approved as manager of this business for said licensee.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

MANAGER APPLICATION OF FREDRIC F. FROST FOR SAM'S WEST, INC. DBA SAM'S CLUB #4873 AT 8480 ANDERMATT DRIVE - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89496 WHEREAS, Sam's West, Inc. dba Sam's Club #4873 located at 8480 Andermatt Drive, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Fredric F. Frost be named manager;

WHEREAS, Fredric F. Frost appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Fredric F. Frost be approved as manager of this business for said licensee.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

### PUBLIC HEARING - RESOLUTIONS

APPEAL BY CARL ESKRIDGE OF THE STARTRAN ADVISORY BOARD ACTION APPROVING THE TRANSIT DEVELOPMENT PLAN (TDP) AND THE NEAR-TERM ROUTE CHANGES THAT ARE PART OF THE TDP. (12/14/15 - PUBLIC HEARING & ACTION CONTINUED TO 2/8/16) (ACTION DELAYED FOR 4 WEEKS TO 03/07/16, 7-0) - PRIOR to reading:

CHRISTENSEN Moved to delay action on Bill 15R-245 for 4 weeks to 3/07/16.

Second by Lamm & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

DIRECTING SUBMITTAL TO THE ELECTORS OF THE CITY A PROPOSED CHARTER AMENDMENT AMENDING ARTICLE VII, SECTION 2 OF THE CHARTER RELATING TO CONTRACTS FOR PROFESSIONAL SERVICES TO PROVIDE THAT THE CITY COUNCIL MAY, BY ORDINANCE, ESTABLISH PROCEDURES AND CRITERIA TO BE FOLLOWED BY THE MAYOR, DEPARTMENT HEADS, AND THE PURCHASING DIVISION IN SELECTING FIRMS OR OTHER ENTITIES TO PROVIDE PROFESSIONAL SERVICES AND IN MAKING AND APPROVING AWARDS AND CONTRACTS THEREFOR - PRIOR to reading:

LAMM Moved to accept a substitute resolution.

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm; NAYS: Raybould.

CHRISTENSEN Moved Motion to Amend #1 to amend Bill No. 16R-26 by amending paragraph 3 on page 3 to read as follows:

3. That the Mayor be and hereby is directed to proclaim and give notice that at the statewide primary election to be held in the City of Lincoln, Nebraska on Tuesday, the 10th day of May, 2016, there will be submitted to the qualified electors of the City of Lincoln, Nebraska, for adoption or rejection, PROPOSITION 1 set forth in Section 1 hereof, and the City Clerk is directed to publish the said proclamation as provided by law.

Seconded by Lamm & carried by the following vote: AYES: Camp, Christensen, Fellers, Gaylor Baird, Lamm; NAYS: Eskridge, Raybould.

RAYBOULD Moved to refer Bill No. 16R-26 to the Lincoln Charter Revision Commission with the direction that the commission review the Resolution and report back to the City Council by July 18, 2016.

I further direct that Bill No. 16R-26 be placed the Pending List-Date Certain for further Public Hearing and Action on July 25, 2016.

Seconded by Gaylor Baird & LOST by the following vote: AYES: Eskridge, Gaylor Baird, Raybould; NAYS: Camp, Christensen, Fellers, Lamm.

CLERK Read the following resolution, introduced by Cyndi Lamm, who moved for its adoption as amended:

A-89497 WHEREAS, under the provisions of Article XI, Section 4, of the Constitution of the State of Nebraska, a proposed Charter amendment may be submitted to a vote of the qualified electors at an election proposed by the City Council of the City of Lincoln, Nebraska:

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

1. That at the statewide primary election to be held in the City of Lincoln, Nebraska on Tuesday, the 10th day of May, 2016, there shall be submitted to a vote of the qualified electors of the City of Lincoln, Nebraska, for adoption or rejection, the following proposed amendment to the Charter of the City of Lincoln (hereinafter "PROPOSITION 1"):

#### PROPOSITION 1:

Amend Article VII, Section 2 of the Charter relating to contracts for professional services, to provide that the City Council may, by ordinance, establish procedures and criteria to be followed by the mayor, department heads, and the purchasing division in selecting persons, firms, or other entities to provide professional services with the object of effecting an equitable distribution of contracts among qualified

providers as long as such distribution does not violate the principal of selection of the provider deemed to be the most highly qualified by the mayor, department heads, or purchasing division and in making and approving awards and contracts therefor.

**ARTICLE VII  
CONTRACTS AND PURCHASES**

**Sec. 2. Purchasing Division, Powers and Duties.** The purchasing division, in making any purchase in the amount of \$25,000.00 or more, or any other department or agency, in making any contract committing the city to any expenditure of \$25,000.00 or more, shall advertise for formal sealed bids to be opened in public and to be the basis for awards. All advertisements soliciting bids shall be published at least once in the official paper of the city, if there be one, and if there be no official newspaper, then in at least one daily newspaper published and in general circulation in the city. Purchases and contracts involving the expenditure of less than \$25,000.00 may be made without calling for formal sealed bids, but at least three informal bids shall be secured and recorded if practicable.

Competitive bidding shall not be required in purchasing unique or noncompetitive articles ~~or in contracting for professional services.~~ Competitive bidding shall also not be required in contracting for professional services, but the council may, from time to time, by ordinance, establish procedures and criteria to be followed by the mayor, department heads, and the purchasing division in selecting persons, firms, or other entities to provide such professional services with the object of effecting an equitable distribution of contracts among qualified providers as long as such distribution does not violate the principal of selection of the provider deemed to be the most highly qualified to provide the required services by the mayor, department heads, or purchasing division in making contracts and awards therefor and making awards of contracts therefor, and may include therein (a) reasonable exceptions to compliance with such procedures and criteria and (b) monetary thresholds beyond which council approval is required to make such awards. The mayor, or council by the affirmative vote of six of its members, or by a unanimous vote, if fewer than six but at least four members are present, may waive the competitive bidding requirement if such waiver is necessary to meet an emergency threatening serious loss of life, health or property in the community.

The city council may by unanimous vote of the members present authorize the purchase of supplies or the expenditure of funds for the operation or maintenance of any utility operated by the city without estimate or advertising for bids, in which event supplies so authorized may be purchased in the open market. The mayor may, without formal sealed bids, authorize the construction of public works and utilities infrastructures by private entities when the city's payment of reimbursement or subsidies for such construction does not exceed \$100,000.00.

All awards shall be made to the lowest responsible bidder. The city council shall by ordinance establish those criteria to be considered in determining the lowest responsible bidder. The city shall always have the power to reject all bids and to readvertise if it wishes to do so. The mayor may delegate the execution of any purchase, contract award, or other document which has a direct financial impact to the city of less than \$25,000.00.

The city may require that successful bidders provide good and sufficient bonds of appropriate types to ensure deliveries and faithful performance in connection with the purchases or contracts involved.

The provisions of this section shall govern and apply notwithstanding any existing provisions of this charter to the contrary.

Said PROPOSITION 1 shall be submitted to the qualified electors as a Charter amendment of Article VII, Section 2 on the ballot and shall be printed on said ballot in the following form:

"CHARTER AMENDMENT -- AMEND ARTICLE VII, SECTION 2 OF THE CHARTER TO PROVIDE THAT THE CITY COUNCIL MAY, BY ORDINANCE, ESTABLISH PROCEDURES AND CRITERIA TO BE FOLLOWED BY THE MAYOR, DEPARTMENT HEADS, AND THE PURCHASING DIVISION IN SELECTING PERSONS, FIRMS, OR OTHER ENTITIES TO PROVIDE PROFESSIONAL SERVICES ~~AND WITH THE OBJECT OF EFFECTING AN EQUITABLE DISTRIBUTION OF CONTRACTS AMONG QUALIFIED PROVIDERS AS LONG AS SUCH DISTRIBUTION DOES NOT VIOLATE THE PRINCIPAL OF SELECTION OF THE PROVIDER DEEMED TO BE THE MOST HIGHLY QUALIFIED TO PROVIDE THE REQUIRED SERVICES BY THE MAYOR, DEPARTMENT HEADS, OR PURCHASING DIVISION IN MAKING AND APPROVING AWARDS AND CONTRACTS THEREFOR.~~ SHALL ARTICLE VII, SECTION 2 OF THE CHARTER OF THE CITY OF LINCOLN BE AMENDED TO PROVIDE THAT THE CITY COUNCIL MAY, BY ORDINANCE, ESTABLISH PROCEDURES AND CRITERIA TO BE FOLLOWED BY THE MAYOR, DEPARTMENT HEADS, AND THE PURCHASING DIVISION IN SELECTING PERSONS, FIRMS, OR OTHER ENTITIES TO PROVIDE PROFESSIONAL SERVICES ~~AND WITH THE OBJECT OF EFFECTING AN EQUITABLE DISTRIBUTION OF CONTRACTS AMONG QUALIFIED PROVIDERS AS LONG AS SUCH DISTRIBUTION DOES NOT VIOLATE THE PRINCIPAL OF SELECTION OF THE PROVIDER DEEMED TO BE THE MOST HIGHLY QUALIFIED TO PROVIDE THE REQUIRED SERVICES BY THE MAYOR, DEPARTMENT HEADS, OR PURCHASING DIVISION IN MAKING AND APPROVING AWARDS AND CONTRACTS THEREFOR.~~

VOTE FOR or AGAINST

- ☐ I vote FOR the proposed amendment.
- ☐ I vote AGAINST the proposed amendment."

2. That the City Clerk of the City of Lincoln is hereby directed to publish with her official certification, three times, and a week apart, the full text of the PROPOSITION 1 to be voted upon, as required by law, all as required by the Constitution of the State of Nebraska.

3. That the Mayor be and hereby is directed to proclaim and give notice that at the statewide ~~general~~primary election to be held in the City of Lincoln, Nebraska on Tuesday, the ~~8~~10th day of ~~November~~May, 2016, there will be submitted to the qualified electors of the City of Lincoln, Nebraska, for adoption or rejection, PROPOSITION 1 set forth in Section 1 hereof, and the City Clerk is directed to publish the said proclamation as provided by law.

4. That the City Clerk of the City of Lincoln is further directed to certify to the Election Commissioner of Lancaster County on or before March 1, 2016 the submission of PROPOSITION 1 for inclusion on the May 10, 2016 statewide Primary Election ballot and to procure the necessary ballots and to make all other arrangements for the same.

Introduced by Cyndi Lamm

FINAL VOTE: AYES: Camp, Christensen, Fellers, Lamm; NAYS: Eskridge, Gaylor Baird, Raybould.

**ORDINANCES - 2<sup>ND</sup> READING & RELATED RESOLUTIONS (as required)**

ESTABLISHING AN ENHANCED EMPLOYMENT AREA NECESSARY TO IMPOSE AN OCCUPATION TAX AS PART OF A DEVELOPMENT PROJECT AT SOUTHPOINTE PAVILIONS. (RELATED ITEMS: 16R-24, 16-4, 16R-25, 16-5, 16R-23) (ACTION DATE: 2/22/16)

AUTHORIZING A ONE PERCENT (1%) OCCUPATION TAX, EFFECTIVE JANUARY 1, 2017, ON GROSS RECEIPTS FOR RETAIL ESTABLISHMENTS AT SOUTHPOINTE PAVILIONS WITHIN THE DESIGNATED ENHANCED EMPLOYMENT AREA TO BE USED TO PAY FOR CONSTRUCTION AND MAINTENANCE OF A PUBLIC PARKING GARAGE TO BE LOCATED AT SOUTHPOINTE PAVILIONS. (RELATED ITEMS: 16R-24, 16-4, 16R-25, 16-5, 16R-23) - CLERK read an ordinance, introduced by Carl Eskridge, an ordinance providing for the levy of a general business occupation tax; establishing definitions; providing for the administration, collections, returns, delinquencies and recovery of unpaid amounts related to such occupation tax; specifying how such tax revenue will be used; providing a sunset provision for the tax; and related matters, the second time.

APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF LINCOLN, R.E.D. DEVELOPMENT, AND POWDER MOUNTAIN, LLC RELATED TO CONSTRUCTION OF A NEW SCHEELS STORE AND OTHER RETAIL SPACE AT SOUTHPOINTE PAVILIONS IN ADDITION TO PUBLIC PARKING GARAGE WITHIN SOUTHPOINTE PAVILIONS. (RELATED ITEMS: 16R-24, 16-4, 16R-25, 16-5, 16R-23) (ACTION DATE: 2/22/16)

AUTHORIZING THE ISSUANCE OF CITY OF LINCOLN SOUTHPOINTE PAVILIONS PROJECT TAX ALLOCATION BONDS IN AN AMOUNT NOT TO EXCEED \$19,950,000. (RELATED ITEMS: 16R-24, 16-4, 16R-25, 16-5, 16R-23) - CLERK read an ordinance, introduced by Carl Eskridge, an ordinance authorizing and providing for the issuance of City of Lincoln, Nebraska Occupation Tax Revenue Bonds (Southpoint Pavilion Parking Project), notes or other obligations, in one or more taxable or tax-exempt series, in an aggregate principal amount no to exceed \$19,950,000 for the purpose of (1) paying the costs of authorized work within the City's Southpointe Enhanced Employment area, and (2) paying the costs of issuance thereof; prescribing the form and certain details of the bonds, notes or other obligations; pledging certain occupation tax revenue to the payment of the principal of and interest on the bonds, notes or other obligations as the same become due; limiting payment of the bonds, notes or other obligations to such tax revenues; creating and establishing funds and accounts; delegating, authorizing and directing the Finance Director to exercise his independent discretion and judgment in determining and finalizing certain terms and provisions of the bonds, notes or other obligations not specified herein; taking other actions and making other covenants and agreements in connection with the foregoing; and related matters, the second time.

COMBINED SPECIAL PERMIT/USE PERMIT 11H - APPLICATION OF RED CAPITAL MANAGEMENT, LLC AND POWDER MOUNTAIN, LLC TO REFLECT THE REDEVELOPMENT OF SEVERAL AREAS OF THE SOUTHPOINTE PAVILIONS SHOPPING CENTER, INCLUDING AN INCREASE IN FLOOR AREA, A REDUCTION IN THE PARKING REQUIREMENT, AND AN INCREASE IN BUILDING HEIGHT LOCATED AT THE NORTHEAST CORNER OF SOUTH 27TH STREET AND PINE LAKE ROAD. (RELATED ITEMS: 16R-24, 16-4, 16R-25, 16-5, 16R-23) (ACTION DATE: 2/22/16)

**ORDINANCES - 3<sup>rd</sup> READING & RELATED RESOLUTIONS**

CHANGE OF ZONE 15039 - APPLICATION OF JEFFERY & ELIZABETH HEERSPINK, TO DESIGNATE THE BETZ-VANANDEL HOUSES AS A LANDMARK, CHANGING THE ZONING DISTRICT FROM R-7 RESIDENTIAL TO R-7 RESIDENTIAL WITH LANDMARK OVERLAY, ON PROPERTY GENERALLY LOCATED AT 1037-1039 AND 1045 SOUTH 13TH STREET - Clerk read an ordinance,

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introduced by Jon Camp, an ordinance amending the City of Lincoln Zoning District Map attached to and made a part of Title 27 of the Lincoln Municipal Code by designating certain property as a Landmark, the third time.

CAMP Moved to pass the ordinance as read.

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

This ordinance, being numbered #20290, is recorded in Ordinance Book #30.

**RESOLUTIONS - 1<sup>ST</sup> READING**

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF JANUARY 16-31, 2015.

APPROVING THE ANTELOPE SQUARE REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LINCOLN AND ANTELOPE SQUARE, LLC RELATING TO THE REDEVELOPMENT OF PROPERTY BOUNDED BY 22ND STREET ON THE WEST, 23RD STREET ON THE EAST, R STREET ON THE NORTH, AND Q STREET ON THE SOUTH FOR THE CONSTRUCTION OF TWENTY-FOUR ATTACHED SINGLE FAMILY DWELLINGS.

AMENDING THE FY 15/16 CIP TO AUTHORIZE AND APPROPRIATE \$825,000.00 IN TIF FUNDS FOR THE ANTELOPE SQUARE REDEVELOPMENT PROJECT.

APPROVING THE SSH ARCHITECTURE REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LINCOLN AND KEVIN AND MARY HITTLE RELATING TO THE REDEVELOPMENT OF PROPERTY LOCATED AT 6234 AND 6240 BALLARD AVENUE FOR THE CONSTRUCTION OF A NEW, APPROXIMATELY 10,800 SQUARE FOOT, BUILDING.

AMENDING THE FY 15/16 CIP TO AUTHORIZE AND APPROPRIATE \$110,000.00 IN TIF FUNDS FOR THE SSH ARCHITECTURE REDEVELOPMENT PROJECT.

APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE OMAHA-COUNCIL BLUFFS METROPOLITAN AREA PLANNING AGENCY AND CITY OF LINCOLN TO OBTAIN DIGITAL MAP PRODUCTS INCLUDING AERIAL PHOTOGRAPHY AND BUILDING FOOTPRINTS FOR LANCASTER COUNTY.

REPEALING RESOLUTION NO. A-74329 ADOPTED AUGUST 12, 1991 RELATING TO THE CITY'S PERFORMANCE AUDIT COMMITTEE DUE TO THE COMMITTEE'S FUNCTIONS BEING SEVERELY LIMITED DUE TO REALLOCATION OF RESOURCES.

REPEALING RESOLUTION NO. A-87447 ADOPTED JULY 22, 2013 RELATING TO THE PINNACLE BANK ARENA ADVISORY COMMITTEE DUE TO THE COMMITTEE'S FUNCTIONS BEING TRANSFERRED TO THE PINNACLE BANK ARENA ADVISORY BOARD ESTABLISHED IN THE LINCOLN MUNICIPAL CODE.

**ORDINANCES - 1<sup>ST</sup> READING & RELATED RESOLUTIONS (as required)**

AUTHORIZING THE ISSUANCE OF TAX ALLOCATION BONDS FOR THE ANTELOPE SQUARE REDEVELOPMENT PROJECT- CLERK read an ordinance, introduced by Leirion Gaylor Baird, authorizing and providing for the issuance of City of Lincoln, Nebraska Tax Allocation Bonds, notes or other obligations, in one or more taxable or tax-exempt series, in an aggregate principal amount not to exceed \$825,000 for the purpose of (1) paying the costs of acquiring, purchasing, constructing, reconstructing, improving extending, rehabilitating, installing, equipping, furnishing and completing certain improvements within the City's Antelope Square Redevelopment Project Area, including acquiring any real estate and/or interests in real estate in connection therewith, and (2) paying the costs of issuance thereof; prescribing the form and certain details of the bonds, notes or other obligations; pledging certain tax revenue and other revenue to the payment of the principal of and interest on the bonds, notes or other obligations as the same become due; limiting payment of the bonds, notes or other obligations to such tax revenues; creating and establishing funds and accounts; delegating, authorizing and directing the Finance Director to exercise his independent discretion and judgement in determining and finalizing certain terms and provisions of the bonds, notes or other obligations not specified herein; taking other actions and making other covenants and agreements in connection with the foregoing; and related matters, the first time.

AUTHORIZING THE ISSUANCE OF TAX ALLOCATION BONDS FOR THE SSH ARCHITECTURE REDEVELOPMENT PROJECT - CLERK read an ordinance, introduced by Leirion Gaylor Baird, authorizing and providing for the issuance of City of Lincoln, Nebraska Tax Allocation Bonds, notes or other obligations, in one or more taxable or tax-exempt series, in an aggregate principal amount not to

exceed \$110,000 for the purpose of (1) paying the cost of acquiring, purchasing, construction, reconstructing, improving extending, rehabilitating, installing, equipping, furnishing and completing certain improvements within the City's SSH Architecture Redevelopment Project Area, including acquiring any real estate and/or interests in real estate in connection therewith, and (2) paying the costs of issuance thereof; prescribing the form and certain details of the bonds, notes or other obligations; pledging certain tax revenue and other revenue to the payment of the principal of and interest on the bonds, notes or other obligations as the same become due; limiting payment of the bonds, notes or other obligations to such tax revenues; creating and establishing funds and accounts; delegating, authorizing and directing the Finance Director to exercise his independent discretion and judgement in determining and finalizing certain terms and provisions of the bonds, notes or other obligations not specified herein; taking other actions and making other covenants and agreements in connection with the foregoing; and related matters, the first time.

AMENDING CHAPTER 9.44 OF THE LINCOLN MUNICIPAL CODE RELATING TO FIREWORKS, BY AMENDING SECTION 9.44.020 TO INCREASE THE PENALTY FOR THE UNLAWFUL USE OF FIREWORKS WITHIN THE LINCOLN CITY LIMITS - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending Chapter 9.44 of the Lincoln Municipal Code relating to Fireworks by amending Section 9.44.020 Fireworks; Violations; penalties to increase the penalty for the unlawful use of fireworks withing the Lincoln City limits, the first time.

ORDINANCE AMENDING TITLE 4 OF THE LINCOLN MUNICIPAL CODE BY ADDING A NEW CHAPTER 4.68 RELATING TO BOARDS AND COMMISSIONS TO ESTABLISH THE PINNACLE BANK ARENA ADVISORY BOARD AND REPEALING SECTION 2.10.040 RELATING TO PERSHING MANAGER; AUTHORITY FROM TITLE 2 OF THE LINCOLN MUNICIPAL CODE- CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending Title 4 of the Lincoln Municipal Code relating to Boards and Commissions to create a new Chapter 4.68 entitled "Pinnacle Bank Arena Advisory Board" to establish the Pinnacle Bank Arena Advisory Board in the Lincoln Municipal Code relating to Pershing Manager; Authority, the first time.

ORDINANCE AMENDING CHAPTER 2.76 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE PERSONNEL SYSTEM AND CHAPTER 5.04 RELATING TO ALCOHOLIC LIQUOR, BY AMENDING SECTION 2.76.370, SUBSECTION (E), TO REMOVE REFERENCE TO EMPLOYEE CLASSIFICATIONS "N" AND "X" RELATING TO PERSONAL HOLIDAY HOURS AS SUBSECTION (F) RELATES TO PERSONAL HOLIDAY HOURS FOR EMPLOYEE CLASSIFICATIONS "N" AND "X"; AND AMENDING SECTION 5.04.250 TO REMOVE LANGUAGE REFERRING TO A REPEALED SECTION; AND REPEALING SECTION 2.76.370 AND SECTION 5.04.250 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending Chapter 2.76 of the Lincoln Municipal Code relating to the Personal System by amending Section 2.76.370, subsection (e), to remove reference to employee classification "N" and "X"; and amending Chapter 5.04 relating to Alcoholic Liquor by amending Section 5.04.250 to remove language referring to a repealed section; and repealing Sections 2.76.370 and Section 5.04.250 of the Lincoln Municipal as hitherto existing, the first time.

ORDINANCE AMENDING SECTION 14.80.080 OF THE LINCOLN MUNICIPAL CODE RELATING TO DIRECTOR OF PUBLIC WORKS AND UTILITIES TO HAVE GENERAL CONTROL OF SIDEWALKS TO REMOVE THE REQUIREMENT THAT PROPERTY OWNERS ARE RESPONSIBLE FOR THE REPAIR AND REPLACEMENT OF ADJOINING SIDEWALKS IN ORDER TO BRING THE CODE INTO CONFORMITY WITH THE CITY CHARTER, ART. VIII, SECTION 19; AND REPEALING SECTION 14.80.080 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING- CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending Section 14.80.080 of the Lincoln Municipal Code to remove the requirement that property owners are responsible for the repair and replacement of adjoining sidewalks in order to bring the code into conformity with the City Charter, Art. VIII, Section 19 and repealing Section 14.80.080 of the Lincoln Municipal Code as hitherto existing, the first time.

ORDINANCE AMENDING CHAPTER 27.06 OF THE LINCOLN MUNICIPAL CODE RELATING TO USE GROUPS BY AMENDING SECTION 27.06.170 TO REVISE THE USE GROUP TABLE TO REFLECT THAT CURRENT HEAVY COMMERCIAL SERVICES USE GROUP FOR MINI-WAREHOUSES ARE A PERMITTED CONDITIONAL USE IN THE B-5 DISTRICT AS PROVIDED IN SECTION 27.62.140(B)(2); AND REPEALING SECTION 27.06.170 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending Chapter 27.06 of the Lincoln Municipal Code relating to Use Groups by amending Section 27.06.170 to revise the Use Group Table to reflect the current Heavy Commercial Services Use Group for mini-warehouses are permitted conditional use in the B-5 district as provided in Section 27.62.140(b)(2); and repealing Section 27.06.170 of the Lincoln Municipal Code as hitherto existing, the first time.

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## OPEN MICROPHONE

Mike Morison, 1500 North 15th Street, came forward and stated that the City came out and took some items of his that they should not have and he would like for them to be returned to him. Mr. Morison also stated that he has not received his inventory statement yet on items that were taken, and he will file theft charges if the items that were illegally taken are not returned.

Jon Camp, Council Member, inquired on the items that were taken from Mr. Morison.

Jeff Kirkpatrick, City Attorney, came forward and stated this was to clean up property and an outside company was hire to do the clean-up. And he thinks that the company that is hired for the clean-up does not keep the items that they collect.

This matter was taken under advisement.

Jane Svoboda, no address given, came forward with comments on various issues.

This matter was taken under advisement.

Terri Pope-Gonzalez, 349 South 1st Street, came forward with comment on various issues.

This matter was taken under advisement.

## PENDING LIST

AMENDING CHAPTER 2.06 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE MAYOR'S  
AUTHORITY TO EXECUTE CONTRACTS BY ADDING A NEW SECTION NUMBERED 2.06.120  
REQUIRING COUNCIL APPROVAL OF NON-BID CONTRACTS ABOVE \$50,000.00. (11/16/15 -  
DELAY ACTION W/ PUBLIC HEARING 3 WEEKS TO 12/07/15) (12/7/15 - ACTION DELAYED W/  
CONTINUED PUBLIC HEARING 1 WEEK TO 12/14/15, 7-0) (12/14/15 - ACTION DELAYED W/  
CONTINUED PUBLIC HEARING TO 1/11/16) (1/11/16 - PLACED ON PENDING, NO DATE  
CERTAIN):

RAYBOULD Moved to remove Bill 15-134 from Pending to have public hearing on 2/29/16.

Seconded by Gaylor Baird.

RAYBOULD            Withdrew the motion.

## ADJOURNMENT

**9:30 P.M.**

CHRISTENSEN Moved to adjourn the City Council Meeting of February 8, 2016.

Seconded by Raybould & carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

Teresa Meier, City Clerk

Rhonda Bice, Office Specialist